

Villaraigosa Ethics Fine: Record Punishment Recommended After Mayor Accepts Free Tickets



By DON THOMPSON and MICHAEL R. BLOOD 04/ 1/11 11:49 PM ET **AP**

SACRAMENTO, Calif. -- California's political watchdog on Friday recommended the largest combined ethics fine in the agency's history – more than \$40,000 – against Los Angeles Mayor Antonio Villaraigosa, saying he failed to disclose free tickets to Los Angeles Lakers games, the finals of "American Idol" and more than two dozen other sports and entertainment events.

The recommendation by the California Fair Political Practices Commission was a result of a joint investigation with the Los Angeles City Ethics Commission. Each agency recommended fines of roughly an equal amount – \$21,000 by the state commission for 21 counts for ethics violations, and \$20,849 for the remaining 12 counts by the Los Angeles regulators.

"If approved, the proposed joint stipulation entered into by Mayor Villaraigosa and the Fair Political Practices Commission and the LA Ethics Commission would be the largest ethics fine in the history of the FPPC," said Roman Porter, the state agency's executive director.

The state commission will consider the penalty at its April 11 meeting.

He said the mayor has agreed to the fine. In a statement, Villaraigosa said the violations were unintentional and that he did not consider the tickets as gifts. Rather, the mayor said he attended the events in his official capacity as mayor.

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The Democratic mayor said he attended more 3,000 events during the timeframe scrutinized by the commissions – from when he took office in 2005 through 2010 – and that the violations represent just a fraction of his public appearances.

Free tickets are not considered gifts that must be disclosed when the public official plays a "ceremonial role or function" at the event, such as tossing out the first ball at a baseball game. In the 21 state violations, the mayor was not able to document a "ceremonial role," which would trigger the exemption.

Those tickets included a concert by the Colombian singer Shakira, a party after the Latin Grammys and Los Angeles Dodgers playoff games.

In 2010, the city commission voted to prohibit all elected officials from accepting free tickets to events if the donor has business before the city. That action came after Villaraigosa acknowledged he had accepted tickets to events such as the Academy Awards, "American Idol" finals, a Spice Girls concert and Los Angeles Lakers and Dodgers games.

Elected officials typically must report gifts they receive to avoid the appearance of a conflict of interest on public matters they will decide.

The 12 city violations were for cases in which the mayor accepted tickets from restricted sources – companies that employed lobbyists or had permits approved by the City Council – whose value exceeded the \$100 annual limit in the Los Angeles Municipal Code. Among them were the Academy of Motion Picture Arts and Sciences, the Academy of Television Arts and Sciences, Anschutz Entertainment Group, and the National Academy of Recording Arts and Sciences.

The 21 counts for violating the state's Fair Political Practices Act were levied because the mayor did not report the gifts, which exceeded the \$50 limit on his required statements of economic interest. Those violations could have carried a maximum penalty of \$105,000, but the state staff recommended a lesser fine, citing Villaraigosa's "lack of prior enforcement history ... his full cooperation and candor during the investigation of this matter, and his willingness to admit liability and be held accountable for his violations."

Nevertheless, the state agency staff said the mayor should have known better than to accept the gifts, which included concerts by Aretha Franklin and others, and award shows ranging from the Grammys to the Golden Globes.

"Villaraigosa has been in office in one capacity or another for almost 20 years. He has received ethics training regarding the rules of gift disclosure on numerous occasions over the span of his career," the staff wrote.

He also could have sought legal advice from state and local ethics commissions, the staff said.

The \$41,849 fine leveled against Villaraigosa by the state and city ethics commissions exceeds the previous record fine issued against a politician by the state. In 2005, the Fair Political

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Practices Commission fined Eileen McDonald \$29,000 for conflicts of interest while she was a member of the Newark Unified School District board.

The commission has issued much larger fines in cases involving campaign finance violations, some involving hundreds of thousands of dollars.

Blood reported from Los Angeles. Associated Press writer Tom Verdin in Sacramento contributed to this report.